

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Patricia M. Simon
Charles P. Simon

Debtor(s)

CHAPTER 13

M&T Bank

Movant

vs.

NO. 19-17669 AMC

Patricia M. Simon
Charles P. Simon

Debtor(s)

Scott F. Waterman

Trustee

11 U.S.C. Section 362

**MOTION OF M&T Bank
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

1. Movant is M&T Bank.
2. Debtor(s) is/are the owner(s) of the premises 270 Trenton Road, Fairless Hills, PA 19030, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$149,969.00 on the mortgaged premises that was executed on May 19, 2011. The mortgage has been assigned as follows:

Mortgage Electronic Registration Systems, Inc., As Mortgagee, As Nominee for Hartford Funding, LTD., Its Successors and Assigns to M&T Bank recorded on
4. Scott F. Waterman, is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).
6. Debtor(s) has/have failed to make the monthly post-petition mortgage payments in the amount of \$1,520.76 for the months of October 2022 through December 2022 plus late charges if applicable.
7. The total amount necessary to reinstate the loan post-petition is \$4,562.28.
8. Movant is entitled to relief from stay for cause.

9. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Denise Carlon, Esq.

Densise Carlon, Esquire
KML Law Group, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106-1532
Phone: (215) 627-1322 Fax: (215) 627-7734
Attorneys for Movant/Applicant